

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Case No. 18-00309-01-CR-W-DGK
)
)
JAMES SAMUELS,)

MOTION FOR CONTINUANCE

COMES NOW the Defendant, by and through counsel of record, John Anthony Picerno, and respectfully requests this Honorable Court to continue the above-captioned cause of action from the February trial docket. In support of his motion, the Defendant respectfully states as follows:

1. The Defendant is by way of Indictment as follows:

Count 1: Conspiracy to Make False Statements During Purchase of Firearms, in violation of 18 U.S.C. 371 and 924 (a)(1)(A).

Count 2: Engaging in the Business of Dealing Firearms Without a License, in violation of 18 USC 922(a)(1)(A), 923 (a) and 924(a)(1)(D).

Counts 3, 5, 6, 7, 9, & 12: Sale of a Firearm and Ammunition to a Prohibited Person, in violation of 18 USC 922 (d)(1) and 924 (a)(2).

Counts 4, 8, & 10: Knowing Transfer of a Firearm for Use in a Crimes of Violence, in violation of 18 USC 924(h).

Counts 11 & 13: Possession of an Unregistered Firearm, in violation of 26

USC 5841, 5861 (d) and 5871.

Count 14: Possession of a Stolen Firearm, in violation of 18 USC 922 (j) and 924 (a)(2).

2. Undersigned counsel was appointed to represent the Defendant on November 18, 2019.
3. Defendant is incarcerated at Core Civic in Leavenworth, Kansas and counsel has met with him one time.
4. Counsel and Defendant have not adequate time to review the discovery in order to be prepared for a trial in February 2020.
5. The assistant U.S. Attorney assigned to this case, Mr. Bradley Kavanaugh has no objection to the Defendant's request.
6. Defendant and the Government are requesting a continuance to the June 1st trial docket.
7. This Application is made in good faith and not to vex or harass the United States of America, or this Honorable Court.

WHEREFORE, the Defendant respectfully requests this Honorable Court to continue this matter to the June 1, 2020 trial docket, or in the alternative, to schedule a hearing in this matter.

Respectfully submitted,

/s/John Anthony Picerno

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

In accordance with Rule 49(a), (b) and (d), fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that this Entry of Appearance was electronically filed this 3rd day of January, 2020, and that a copy was sent to all concerned parties, through the Court's Electronic Case Filing System.

/s/John Anthony Picerno

John Anthony Picerno